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MINISTRY OF LAW
(Legislative Department)

New Delhi, the 12th May, 1964/Vaisakha 22, 1886 (Saka)

The following Acts of Parliament received the assent of the President on the 12th May, 1964, and are hereby published for general information:—

THE DAKSHINA BHARAT HINDI PRACHAR SABHA ACT, 1964

No. 14 of 1964

[12th May, 1964]

An Act to declare the institution known as the Dakshina Bharat Hindi Prachar Sabha, having at present its registered office at Madras, to be an institution of national importance and to provide for certain matters connected therewith.

BE it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Dakshina Bharat Hindi Prachar Sabha Act, 1964.

Short
title and
com-
mence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,—

Defini-
tions.

(a) "memorandum" means the memorandum of association of the Sabha filed with the Registrar of Joint Stock Companies, Madras, under the Societies Registration Act, 1860;

(b) "rules and regulations" includes any rule or regulation, by whatever name called, which the Sabha is competent to make in the exercise of the powers conferred on it under the Societies Registration Act, 1860, but shall not include any bye-laws or

21 of 1860.

standing orders made under the rules and regulations for the conduct of its work;

(c) "*Sabha*" means the *Dakshina Bharat Hindi Prachar Sabha* registered under the Societies Registration Act, 1860.

Declara-
tion of the
*Dakshina
Bharat
Hindi
Prachar
Sabha*
as an in-
stitution
of natio-
nal im-
portance.

3. Whereas the objects of the institution known as the *Dakshina Bharat Hindi Prachar Sabha* are such as to make it an institution of national importance, it is hereby declared that the *Dakshina Bharat Hindi Prachar Sabha* is an institution of national importance.

Grant of
degrees,
diplomas
and cer-
tificates
by the
Sabha.

4. Notwithstanding anything contained in the University Grants Commission Act, 1956, or in any other law for the time being in force, 3 of 1956, the *Sabha* may hold such examinations and grant such degrees, diplomas and certificates for proficiency in Hindi or in the teaching of Hindi as may be determined by the *Sabha* from time to time.

Accounts
and audit.

5. (1) The *Sabha* shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance-sheet in such form as may be prescribed by the Central Government.

(2) The accounts of the *Sabha* shall, once at least in every year, be audited by a chartered accountant in practice within the meaning of the Chartered Accountants Act, 1949, to be appointed annually by 38 of 1949. the *Sabha*:

Provided that no member of the *Sabha* who is a chartered accountant or a person who is in partnership with such member, shall be eligible for appointment as an auditor under this section.

(3) Every auditor shall, in the performance of his duties, have at all reasonable times access to the registers, books of account, records and other documents of the *Sabha* or of any committee, council, board or branch of the *Sabha*.

(4) As soon as may be practicable at the end of each year, the auditors shall submit their report to the *Sabha* and shall also forward a copy thereof to the Central Government for its information.

Prior
approval
of the
Central
Govern-
ment
necessary
for
certain

6. Notwithstanding anything contained in the Societies Registra-
tion Act, 1860, or in the memorandum or rules and regulations, the 21 of 1860.
Sabha shall not, except with the previous approval of the Central Government,—

(a) alter, extend or abridge any of the purposes for which

it has been established or for which it is being used immediately before the commencement of this Act, or amalgamate itself, either wholly or partially, with any other institution or society; or

action
by the
Sabha.

(b) alter or amend in any manner the memorandum or rules and regulations; or

(c) be dissolved.

7. (1) The Central Government may constitute, after consultation with the Sabha, one or more committees consisting of such number of persons as it thinks fit to appoint thereto for all or any of the following purposes, namely:—

Review
of work
done, etc.

(a) reviewing the work done by the Sabha during any specified period and the progress made by it; and

(b) evaluating the work done by the Sabha.

(2) The Sabha shall afford all necessary facilities to any committee constituted under sub-section (1) for the purpose of enabling it to carry out its duties.

(3) The report of any committee constituted under sub-section (1) shall be submitted to the Central Government within such time and in such manner as that Government may direct.

(4) The Sabha shall be entitled to appoint a representative who shall have the right to be present and to be heard at such review or evaluation.

(5) The Central Government may address the President of the Sabha with reference to the result of such review or evaluation as disclosed in the report of any committee constituted under sub-section (1), and the President of the Sabha shall communicate to the Central Government the action, if any, taken thereon.

(6) When the Central Government has, in pursuance of sub-section (5), addressed the President of the Sabha in connection with any matter and the President of the Sabha does not within a reasonable time take action to the satisfaction of the Central Government in respect thereof, the Central Government may, after allowing the Sabha an opportunity of furnishing explanations or making representations, issue such directions as that Government considers necessary in respect of any of the matters dealt with in the report and the Sabha shall, notwithstanding anything contained in any law for the time being in force or in the memorandum or rules and regulations of the Sabha, comply with such directions.

(7) The members of any committee constituted under sub-section (1) shall be paid such allowances as the Central Government may, by order, fix and such allowances together with the expenses

incurred, with the previous approval of the Central Government, by any such committee in the performance of its functions (including any salary, remunerations or allowances, if any, payable to any person employed by any such committee), shall, notwithstanding anything contained in any law for the time being in force or in the memorandum or rules and regulations of the *Sabha*, be paid out of the funds of the *Sabha*.

THE EAST PUNJAB AYURVEDIC AND UNANI PRACTITIONERS (DELHI AMENDMENT) ACT, 1964

No. 15 of 1964

[12th May, 1964]

An Act further to amend the East Punjab Ayurvedic and Unani Practitioners Act, 1949 as in force in the Union territory of Delhi.

BE it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

Short title
and com-
mencement.

1. (1) This Act may be called the East Punjab Ayurvedic and Unani Practitioners (Delhi Amendment) Act, 1964.

(2) It shall come into force on such date as the Chief Commissioner may, by notification in the Official Gazette, appoint.

Amendment
of references
to State.

2. Throughout the East Punjab Ayurvedic and Unani Practitioners Act, 1949, as in force in the Union territory of Delhi (hereinafter referred to as the principal Act), for the word "State", the words "Union territory" shall be substituted.

East Punjab
Act 14 of
1949.

Amendment
of section 2.

3. In section 2 of the principal Act, after clause (3), the following clauses shall be inserted, namely:—

'(3a) "Chairman" means the Chairman of the Examining Body;

(3b) "Chief Commissioner" means the administrator of the Union territory of Delhi, appointed by the President under article 239 of the Constitution;

(3c) "Examining Body" means the Examining Body constituted under section 31A;'

4. In sub-section (1) of section 3 of the principal Act, for the words "carrying out the provisions of this Act", the words "carrying out the functions conferred on the Board by or under the provisions of this Act" shall be substituted. Amendment
of section 3.

5. In section 21 of the principal Act,—

Amendment
of section 21.

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Board shall, by regulations, recognise institutions as required under item (3) of the Schedule.”;

(b) in sub-section (2), for the words “by any of the institutions”, the words “by the Examining Body or by any of the institutions” shall be substituted.

6. In sub-section (2) of section 29 of the principal Act, after clause (k), the following clauses shall be inserted, namely:— Amendment
of section
29.

“(l) the term of office of the members of the Examining Body under sub-section (5) of section 31A;

(m) the fees and other allowances payable to members of the Examining Body for attending meetings under sub-section (8) of section 31A.”.

7. In section 30 of the principal Act,—

Amendment
of section 30.

(i) in sub-section (1), clauses (c), (d), (e), (f) and (g) shall be omitted;

(ii) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) The Examining Body may, with the previous sanction of the Chief Commissioner, make regulations for—

(a) the time and place at which the Examining Body shall hold its meetings;

(b) the courses of study for training and qualifying examinations including the course of training and examinations prior to qualifying examinations;

(c) the language in which the examinations shall be conducted and instruction shall be imparted;

(d) the admission of students to the bodies or institutions authorised under section 21;

(e) the conditions under which students shall be admitted to the diploma, licence or certificate course and to the qualifying and prior examinations;

(f) the conditions of appointment of examiners and the conduct of examinations;

(g) any other matter which is required to be, or may be, prescribed by regulations.”;

(iii) in the first proviso to sub-section (3), for the words, brackets and letters “clauses (c) to (g)”, the word, brackets, figure and letter “sub-section (1A)” shall be substituted and for the word “Board”, the words “Examining Body” shall be substituted.

Insertion of
new section
31A.

8. After section 31 of the principal Act, the following section shall be inserted, namely:—

Constitu-
tion and
functions
of the
Examining
Body.

“31A. (1) The Chief Commissioner may, by notification in the Official Gazette, constitute an Examining Body to be known as ‘The Examining Body for Ayurvedic and Unani Systems of Medicine, Delhi’, for the purpose of holding qualifying examinations and examinations prior to qualifying examinations and prescribing the courses of study and training for such examinations and other related matters.

(2) The Examining Body shall be a body corporate with the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property and to contract, and shall by the said name sue and be sued.

(3) The Examining Body shall consist of the following seven members, to be nominated by the Chief Commissioner, namely:—

(a) one member to represent the Ministry of the Central Government dealing with Health;

(b) one member to represent the Medical and Health Department of the Administration of Delhi;

(c) one member who shall be a Professor of Modern Medicine or of Ayurvedic or Unani System of Medicine as the Chief Commissioner may determine;

(d) one member who shall be a Professor of Ayurvedic System of Medicine;

(e) one member who shall be a Professor of Unani System of Medicine;

(f) a practitioner of repute of the Ayurvedic System of Medicine;

(g) a practitioner of repute of the Unani System of Medicine;

and the Chief Commissioner shall nominate one of the members to be the Chairman of the Examining Body.

(4) The provisions of sections 11, 12 and 13 shall apply to the Examining Body as they apply in relation to the Board, subject to the modifications that references to the President therein shall be construed as references to the Chairman and the reference to five members in sub-section (3) of section 13 shall be construed as a reference to three members.

(5) A member of the Examining Body shall hold office for such period as may be prescribed by rules by the Chief Commissioner:

Provided that the Chief Commissioner may, for reasons to be recorded in writing, remove any member before the expiry of such term:

Provided further that no order for such removal shall be made unless the member concerned has been given a reasonable opportunity to show cause against such removal.

(6) A casual vacancy in the office of a member of the Examining Body shall be filled by fresh nomination and the member nominated to fill a casual vacancy shall hold office only so long as the member in whose place he is nominated would have held office if the vacancy had not occurred.

(7) Any member of the Examining Body may, at any time, resign his office by letter addressed to the Chief Commissioner and the resignation shall take effect from the date on which it is accepted by the Chief Commissioner.

(8) There shall be paid to the members of the Examining Body such fees and allowances for attending meetings as may be prescribed by rules by the Chief Commissioner.

(9) The Examining Body shall, with the previous approval of the Chief Commissioner, appoint a secretary and such number of other employees as it may deem necessary and they shall receive such salary and allowances and be subject to such conditions of service as the Examining Body may, with the previous approval of the Chief Commissioner, prescribe by regulations.

(10) The secretary and other employees of the Examining Body shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

(11) In the performance of its functions under this Act, the Examining Body shall be bound by such directions as the Chief Commissioner may give to it in writing from time to time.”.

Amend-
ment
of the
Schedule.

9. In the Schedule to the principal Act, in item (2), for the word “Board”, in the first place where it occurs, the words “Examining Body” shall be substituted.

R. C. S. SARKAR,

Secy. to the Govt. of India.